

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT County Fire	(2) MEETING DATE 5/7/2013	(3) CONTACT/PHONE Robert Lewin 593-3400 Laurie Donnelly 593-3422	
(4) SUBJECT Hearing to consider adopting an ordinance amending Chapter 16.10 of the San Luis Obispo County Code to prohibit the ignition and launching of sky lanterns, with an exception, in the unincorporated areas of San Luis Obispo County that are protected by the County Fire Department.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt County Ordinance Chapter 16.10 Amendment No. 30 Section 302.1 and No. 31 Section 308.1.6.3 which will prohibit, with an exception, the ignition and launching of sky lanterns in the unincorporated areas of San Luis Obispo County that are protected by the County Fire Department.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. 30) <input type="checkbox"/> Board Business (Time Est.____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? Yes	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>4/16/2013</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: County Fire / Robert Lewin 593-3400
Laurie Donnelly 593-3422

DATE: 5/7/2013

SUBJECT: Hearing to consider adopting an ordinance amending Chapter 16.10 of the San Luis Obispo County Code to prohibit the ignition and launching of sky lanterns, with an exception, in the unincorporated areas of San Luis Obispo County that are protected by the County Fire Department.

RECOMMENDATION

It is recommended that the Board adopt County Ordinance Chapter 16.10 Amendment No. 30 Section 302.1 and No. 31 Section 308.1.6.3 which will prohibit, with an exception, the ignition and launching of sky lanterns in the unincorporated areas of San Luis Obispo County that are protected by the County Fire Department.

DISCUSSION

In 2011 the County Fire Department first became aware of sky lanterns, a new product being sold in local stores, on the internet, and non-commercial variations. Sky lanterns are airborne paper lanterns that are a tradition found in some cultures, and are typically constructed from oiled rice paper on bamboo frames. Each lantern contains a small candle or fuel cell composed of a waxy flammable material. When lit, the flame heats the air inside the lantern, thus lowering its density causing the lantern to rise into the air. They are known to travel significant distances from the point of release. There is a serious fire and safety hazard associated with sky lanterns, which includes the potential to start an unintended fire on or off the property from which they are released.

It has been determined by the State Fire Marshal that this product does not fall within the definition of a firework (HSC §12511) or a pyrotechnic device (HSC §12526). Therefore, no current state law prevents the sale, possession or use of sky lanterns.

San Luis Obispo County had a significant fire on July 30, 2012 on the hills above Pirates Cove which was caused by a sky lantern. This fire threatened a radio and cellular site on the top of Ontario Ridge as well as the Bluffs Community in the City of Pismo Beach. The fire cost was over ten thousand dollars to suppress.

The popularity of sky lanterns has significantly increased and most people are unaware of the dangers associated with this device. Sky lanterns are both a threat to the wild lands and to the roofs of homes on which the devices may land. Depending on the atmospheric conditions they can travel several miles carried by the wind.

Recognizing that the sky lanterns may have a necessary religious or cultural use, the ordinance proposed allows an exception with approval from the fire department.

On April 16, 2013 this ordinance was introduced on consent at a meeting of your Board.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the amendment as to form and legal effect.

BUSINESS IMPACT STATEMENT

This amendment will generally prohibit event planning and related businesses from igniting and launching sky lanterns. It is anticipated that this will have a small negative impact on these businesses.

FINANCIAL CONSIDERATIONS

There are no additional costs to the County associated with this ordinance. The cost of educating the public about this ordinance will be part of the department's current public education budget.

RESULTS

The ordinance will prohibit the ignition and launching of sky lanterns, unless an exception is granted as authorized by the ordinance. Even then the device must be monitored and tethered. If someone violates the ordinance the violator may be issued a misdemeanor ticket for violation of the Fire Code. With passage of the ordinance the fire department will begin a public education effort to make sure that people are aware that sky lanterns are illegal for igniting and launching. The department will particularly target those entities, such as event planners, for outreach to ensure the

ATTACHMENTS

1. Ordinance Amending Chapter 16.10 of the San Luis Obispo County Code to Prohibit the Igniting and Launching of Sky Lanterns
2. State Fire Marshal Informational Bulletin 12-005